

109TH CONGRESS
1ST SESSION

H. R. 3735

To prevent a reduction in the Medicaid Federal medical assistance percentage (FMAP) determined for a State for fiscal year 2006.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2005

Mr. DAVIS of Alabama introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prevent a reduction in the Medicaid Federal medical assistance percentage (FMAP) determined for a State for fiscal year 2006.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Medicaid
5 Relief Act of 2005”.

6 **SEC. 2. LIMITATION ON REDUCTION IN THE MEDICAID**
7 **FMAP FOR FISCAL YEAR 2006.**

8 (a) IN GENERAL.—In no case shall the FMAP for
9 a State for fiscal year 2006 be less than the greater of
10 the following:

1 (1) FISCAL YEAR 2005 FMAP.—The FMAP de-
2 termined for the State for fiscal year 2005.

3 (2) COMPUTATION WITHOUT RETROACTIVE AP-
4 PLICATION OF REBENCHMARKED PER CAPITA IN-
5 COME.—The FMAP that would have been deter-
6 mined for the State for fiscal year 2006 if the per
7 capita incomes for 2001 and 2002 that were used to
8 determine the FMAP for the State for fiscal year
9 2005 were used.

10 (b) SCOPE OF APPLICATION.—The FMAP applicable
11 to a State for fiscal year 2006 after the application of
12 subsection (a) shall apply only for purposes of titles XIX
13 and XXI of the Social Security Act (including for purposes
14 of making disproportionate share hospital payments de-
15 scribed in section 1923 of such Act (42 U.S.C. 1396r-
16 4) and payments under such titles that are based on the
17 enhanced FMAP described in section 2105(b) of such Act
18 (42 U.S.C. 1397ee(b))) and shall not apply with respect
19 to payments under title IV of such Act (42 U.S.C. 601
20 et seq.).

21 (c) DEFINITIONS.—In this section:

22 (1) FMAP.—The term “FMAP” means the
23 Federal medical assistance percentage, as defined in
24 section 1905(b) of the Social Security Act (42
25 U.S.C. 1396d(b)).

1 (2) STATE.—The term “State” has the mean-
2 ing given such term for purposes of title XIX of the
3 Social Security Act (42 U.S.C. 1396 et seq.).

4 **SEC. 3. REPEAL.**

5 Effective as of October 1, 2006, section 2 is repealed
6 and shall not apply to any fiscal year after fiscal year
7 2006.

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